IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1751 of 2005

Between:

G. Naga Rathnamma W/o. Rangaswamy
R/o. Uppalapadu VIllage, Orvakal Mandal, Kurnool District

..... PETITIONER

AND

1 The Revenue Divisional Officer, Kurnool.
2 The Mandal Revenue Officer, Orvakal Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order or direction, preferable to the nature of Writ of Mandamus declaring the action of the respondents not supplying the commodities to the petitioner, who is a Fair price shop dealer of shop No.7 of Uppalapadu VIllage, Orvakal Mandal, Kurnool District from January, 2005 even though petitioner's license and authorization is subsisting pursuant to the appointment orders issued by the 1st respondent vide proceedings No. D.Dis. (B) 755/2003 dt. 18-7-2003 as illegal, arbitrary and violation of Article 14, 19 & 21 of constitution of India and consequently direct the respondents to continue the petitioner as Fair Price shop dealer of Uppalapadu VIllage, Orvakal Mandal, Kurnool District.

Counsel for the Petitioner:MR.K.RATHANGA PANI REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

The petitioner states that her authorization in respect of fair price shop No.7 of

Uppalapadu Village, Orvakal Mandal, Kurnool District, is still in force and despite the same, the respondents are not supplying the essential commodities to her.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The very purpose of appointing a dealer for a fair price shop is to enable him to undertake supply of essential commodities. The dealer is entitled to be supplied the commodities, as long as the authorisation is in force. There does not exist any basis for the respondents in not supplying the essential commodities to the petitioner, even if the authorisation is subsisting.

The writ petition is disposed of, directing the respondents to supply the essential commodities to the petitioner, as long as the authorization in her favour is in force. There shall be no order as to costs.

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09.02.2005

Note: Issue C.C. in three days.

(B/o)

Jsu
To

1 The Revenue Divisional Officer, Kurnool.
2 The Mandal Revenue Officer, Orvakal Mandal, Kurnool District.

3 Two C.Cs to the G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT).

4 2 CD copies.